

March 19, 1975

SENATOR CAVANAUGH: Well, procedurally, now you have ruled that the bill is not passed.

PRESIDENT: That's correct.

SENATOR CAVANAUGH: And you say...I don't understand how you can say that it doesn't make any difference because if the bill did pass, you have to sign it. Now I would take it that you are not going to sign this one and send it to the Governor.

PRESIDENT: That's correct.

SENATOR CAVANAUGH: Well, then it can't become law.

PRESIDENT: That's probably correct.

SENATOR CAVANAUGH: So your ruling does make a difference.

PRESIDENT: Well, at this point...or at that point, it will make a difference but presently, the Attorney General may give us some advice on this.

SENATOR CAVANAUGH: Well, I mean at the point that you refuse to sign it and pass it on because of your interpretation of either the Rules or the Constitution, then you do, in effect...you, yourself, decide what becomes law and what doesn't, under those circumstances.

PRESIDENT: Yes.

SENATOR CAVANAUGH: Well, that is the danger of the situation we are in. Now, I am not...I think we should act on Senator Barnett's motion simply in order to express our opinion as to the validity of the chair's action of ruling whether the bill passed or didn't pass.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: Mr. President, would it be out of order, Senator Murphy not voting on the issue moving for reconsideration and announcing that I will request an opinion from the Attorney General and hope to have it tomorrow, at which time reconsideration can be considered.

PRESIDENT: We have a motion pending. We can take that up. Senator Barnett.

SENATOR BARNETT: Mr. Chairman, I think the purposes of my attempt to move notwithstanding what you did was to get the discussion brought to a head. Senator Murphy has said he will ask for an opinion, therefore, I would ask unanimous consent to withdraw my objection to your ruling in light of Senator Murphy requesting the information we so desire.

PRESIDENT: You are withdrawing your appeal. You are asking for unanimous consent to withdraw your appeal?

SENATOR BARNETT: Yes.

PRESIDENT: Are there objections? There is objections.